

REMARKS

In response to the Office Action mailed December 12, 2006, Applicant respectfully submits the attached amendments and requests reconsideration of the application. Claims 1, 3, 7, 10-13, and 16, of which claim 1 is independent, are currently pending in the application. Claims 1, 3, 7, 10-13, and 16 are currently amended. Claims 2, 4-6, 8-9, 14-15, and 17-20 have been canceled.

Double Patenting Rejection

The Examiner has rejected claims 1, 3, 7, 10, 11-13 and 16 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 4-8 of co-pending United States Patent Application Serial No. 10/996,998. To overcome this rejection, Applicant submits herewith a terminal disclaimer corresponding to Application Serial No. 10/996,998 in accordance with 37 CFR 1.321(c).

Rejection Under 35 U.S.C. § 112

The Examiner has rejected claims 1, 3, 7 10, 11-13, and 16 under 35 U.S.C. §112, ¶ 2. The Examiner states that there is insufficient antecedent basis for the limitation, "a transducer." This limitation has been amended to read "the at least one transducer assembly."

Rejections Under 35 U.S.C. §103

The Examiner has rejected claims 1, 3, 7, 10, 11-13, and 16 under 35 U.S.C. § 103(a) as being unpatentable over Timberlake et al., United States Patent 5,820,000, in view of Shapiro, United States Patent 5,084,026. Applicant has amended the claims to further distinguish the invention from these references. The claims now recite a

transducer holding system that includes "at least one transducer assembly including a transducer and having first and second openings on either side of the transducer." As neither Jaquith nor Timberlake discloses or suggests this limitation, Applicant respectfully submits that the claims patentably distinguish over these references.

The Examiner has also rejected claims 1, 3, 7, 10, 11-13, and 16 under 35 U.S.C. § 103(a) as being unpatentable over Marais et al., United States Patent 4,316,461, in view of Timberlake, United States Patent 5,820,000. Applicant has amended the claims to further distinguish the invention from these references. The claims now recite a transducer holding system that includes "at least one transducer assembly including a transducer and having first and second openings on either side of the transducer." As neither Marais nor Timberlake discloses or suggests this limitation, Applicant respectfully submits that the claims patentably distinguish over these references.

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any further extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: April 6, 2007

By:

A handwritten signature in dark ink, appearing to read 'C. Schultz', is written over a horizontal line.

Christopher S. Schultz
Reg. No. 37,929